## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ADMIRAL PERRY, : CIVIL ACTION

Petitioner, :

No. 2:09-cv-02795

:

DAVID VARANO, et. al., Respondents.

Respondents.

v.

## Order

**AND NOW**, this 19<sup>th</sup> day of July, 2010, upon careful consideration of the instant petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, the Commonwealth's response, the Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells, and petitioner's objections thereto, it is hereby **ORDERED** that:

- 1. Petitioner's objections are **OVERRULED**.
- The Report and Recommendation of United States Magistrate Judge Carol Sandra Moore Wells is APPROVED and ADOPTED.
- 3. The petition for writ of habeas corpus is **DISMISSED** and **DENIED**.
- 5. There is no ground to issue a certificate of appealability, see 28 U.S.C. § 2253(c).
- 6. The Clerk shall **CLOSE** this case statistically.

s/ William H. Yohn Jr., Judge William H. Yohn Jr., Judge